

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

CHRISTIAN TAYLOR,

Plaintiff,

V.

SINAN KAMAL, M.D.,

Defendant.

Case No. 7:22CV00283

OPINION

JUDGE JAMES P. JONES

Christian Taylor, Pro Se Plaintiff.

The plaintiff, Christian Taylor, proceeding pro se, filed this civil rights action pursuant to 42 U.S.C. § 1983, alleging that the defendant doctor failed to provide him necessary medical care at Coffeewood Correctional Center, a prison facility operated by the Virginia Department of Corrections (VDOC). Because Taylor has failed to provide the court with an address where the defendant can be served with the operative Complaint, I must dismiss the case without prejudice.

As an indigent prisoner, Taylor qualified to proceed without prepayment of the filing costs for this civil action and consented to pay the filing costs in installments, so the clerk's office attempted service of process on his behalf. 28 U.S.C. § 1915(b), (d). Pursuant to an Agreement with the Office of the Attorney General of Virginia in VDOC cases, the court first sent notice of waiver of service

information to the office for the defendant, Sinan Kamal, M.D. An Assistant Attorney General notified the court that the office cannot waive service for Dr. Kamal, because the doctor is not and never was employed by the VDOC. The notice also stated that Dr. Kamal is no longer employed by the companies for which he worked when he treated Taylor at Coffeewood.

On February 9, 2023, the court issued an Order directing Taylor to file with the court within thirty days an address at which service could be accomplished on the defendant. The Order also notified Taylor that failure to comply with the Order would result in dismissal of the claims against Dr. Kamal. The thirty-day response time has elapsed, and Taylor has not provided the court with an address where the clerk's office could attempt service of process on the defendant.

Taylor's failure to provide the court with an address where the defendant could be served constitutes failure to comply with a court Order. The case cannot proceed without this information. Therefore, I will dismiss the action without prejudice for failure to prosecute.

An appropriate Order will issue herewith.

DATED: March 24, 2023

/s/ JAMES P. JONES
Senior United States District Judge